

Kocin

NGC doc. 20-0087

**REMARKS**

This amendment is responsive to the Final Office Action dated Aug. 23, 2004.

This amendment after final eliminates all outstanding issues and places the application in condition for allowance. No new issues are raised. Accordingly, applicant respectfully requests entry of the amendment.

**THE CLAIMS.**

Applicant notes with appreciation the allowance of **claims 3-8**.

The office action advised that claim 9 was indefinite and also expressed subject matter determined to be obvious over the cited prior art patents, but also indicated that dependent claim 10, which depends from claim 9 would be allowed if rewritten in independent form to incorporate all the limitations of the parent claim. Examiner also specified that in rewriting claim 10, applicant should avoid including the phrase in claim 9 as last amended that Examiner found to render claim 9 indefinite, and thereby avoid repeating that indefiniteness in rewritten claim 10.

As examiner should appreciate, the undersigned followed Examiner's direction in rewriting claim 10 in independent form. Accordingly, applicant submits that **claim 10** is now in condition for allowance.

The office action persisted in the rejection of **Claims 1 and 2** under 35 U.S.C. 103(a) unpatentable over Hansel et al. U.S. 4,694,194, in view of Gregorich et al, U.S. 5,289,046 and Breikss, U.S. 4,122,359. While the rejection remains debatable in the opinion of the undersigned, the practicality of the situation does not permit applicant to continue debate. The office action also persisted in the rejection of **claim 9**. With reluctance, claims 1, 2 and 9 are canceled by this amendment.

All the claims in the application have been allowed or have been placed in condition for allowance. Accordingly, applicant believes the application is in condition for allowance. An early notice of allowability is respectfully requested.

Kocin

NGC doc. 20-0087

## CLAIM SUMMARY.

Claims 1-10 were in the application as filed. Claims 1, 2 and 9 have been cancelled. Claims 3-8 stand allowed, and claim 10 was indicated to be allowable if rewritten in independent form.

## ADDITIONAL CLAIM FEES

The number of claims as originally filed in total remains below twenty. The number of independent claims remains unchanged at three. Accordingly, no additional filing fee is due.

The undersigned attorney is available by telephone to provide appropriate assistance to Examiner in an attempt to expedite the grant of the patent. Feel free to telephone.

Respectfully submitted:

Dated: October 8, 2004

By



Ronald M. Goldman  
Attorney for Applicant  
Reg. No. 24,057  
CUSTOMER NO 02604

(310) 316-5399  
Fax (310) 316-9143  
11137

-----  
Roth & Goldman

21535 Hawthorne Blvd. Commerica Bank Bldg. - Suite 500, Torrance, California 90503-6604